

TECHNICAL MEMORANDUM

Utah Coal Regulatory Program

January 3, 2007

OK

TO: Internal File

THRU: Priscilla W. Burton, Environmental Scientist/Soils, Team Lead *PWB by an*

FROM: Wayne H. Western, Environmental Scientist/Engineering *W4U*

RE: Post Mining Land Use Change, PacifiCorp, Des-Bee-Dove Mine, C/015/0017,
Task ID #2727

SUMMARY:

On August 17, 2006, the Division received an application to change the postmining land use for the Des Bee Dove Mine to include industrial. The Division reviewed the application to determine if the change in postmining land use would meet the requirements of the regulations.

On December 22, 2006, the Division received additional information indicating that the industrial/commercial landuse applies only to state and federal lands within the disturbed area.. The December 22, 2006 application further requested a post mining land use change of recreation for both fee and federal/state lands within the disturbed area.

TECHNICAL ANALYSIS:

RECLAMATION PLAN

POSTMINING LAND USES

Regulatory Reference: 30 CFR Sec. 784.15, 784.200, 785.16, 817.133; R645-301-412, -301-413, -301-414, -302-270, -302-271, -302-272, -302-273, -302-274, -302-275.

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Analysis:

The Permittee meet the minimum requirements of this section of the regulations. The Division found that the Permittee did meet the requirements for changing the postmining land use at the XTO well site because:

- The land management agency (United States Forest Service) considers oil and gas development to be a higher and better land use than the premining land uses.
- XTO has the legal right to enter on to the property and conduct oil and gas development.
- The site meets all the backfilling and grading requirements including the restoration to the approximate original contours.

Findings:

The information provided in the proposed amendment is considered adequate to meet the requirements of this section.

RECOMMENDATIONS:

The Division should approve the amendment.